

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NICHOLAE GABRIEL OROS,
Plaintiff,
v.
AUTOMATTIC, INC.,
Defendant.

Case No. [23-mc-80002-LJC](#)

**ORDER SETTING DEADLINE TO
CONSENT OR DECLINE TO
PROCEED BEFORE A UNITED
STATES MAGISTRATE JUDGE**

Pro se Plaintiff Nicholae Gabriel Oros brings this *Ex Parte* Application to obtain third party discovery from Automatic, Inc. (Automatic) pursuant to 28 U.S.C. § 1782 in connection with allegedly defamatory articles posted about him on a blog hosted on Wordpress.com. Dkt. 1. Wordpress.com is owned and operated by Automatic. Because this is a dispositive matter, the consent of all parties is required for the Court to hear and adjudicate the application. See 28 U.S.C. § 636(c)(1); CPC Pat. Techs. Pty. Ltd. v. Apple Inc., 34 F.4th 801, 807-8 (9th Cir. 2022); Williams v. King, 875 F.3d 500, 503 (9th Cir. 2017).

Oros has consented, Dkt. 8, but he has not served a copy of the application on Automatic, and Automatic has not made an appearance in this matter as an interested party. Oros shall serve a copy of this order on Automatic by **March 17, 2023** and file a proof of service promptly thereafter. Automatic must file a “Consent or Declination to Magistrate Judge Jurisdiction” form indicating whether it consents to or declines magistrate judge jurisdiction by **March 24, 2023**.¹ Any party is free to withhold consent to proceed before a magistrate judge without adverse substantive consequences. Fed. R. Civ. P. 73(b)(2).

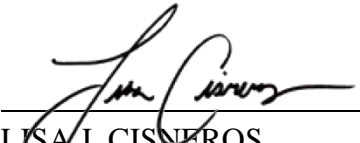
¹ The form is available at https://cand.uscourts.gov/mj_consent-declination_form_10-2020/.

1 Unless Automattic consents to the jurisdiction of a magistrate judge within the time
2 prescribed, the Court will order the Clerk to reassign the matter to a district judge.

3 Finally, Oros is encouraged to consider registering to file his court documents
4 electronically. Information for pro se litigants regarding registration for e-filing is available at
5 [https://www.cand.uscourts.gov/cases-e-filing/cm-ecf/setting-up-my-account/e-filing-self-](https://www.cand.uscourts.gov/cases-e-filing/cm-ecf/setting-up-my-account/e-filing-self-registration-instructions-for-pro-se-litigants/)
6 [registration-instructions-for-pro-se-litigants/](https://www.cand.uscourts.gov/cases-e-filing/cm-ecf/setting-up-my-account/e-filing-self-registration-instructions-for-pro-se-litigants/).

7 **IT IS SO ORDERED.**

8 Dated: March 3, 2023

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12 LISA J. CISNEROS
13 United States Magistrate Judge
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United States District Court
Northern District of California